

THE CATAFAGO LAW FIRM, P.C.
A Professional Corporation

THE EMPIRE STATE BUILDING
350 Fifth Avenue, Suite 4810, New York, New York 10118

TELEPHONE: (212) 239-9669

FACSIMILE: (212) 239-9688

info@catafagolaw.com

JACQUES CATAFAGO*

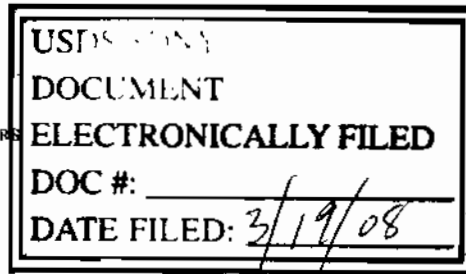
STEVEN W. KAISER

OF COUNSEL:
NADIENNE VINCENT
JONATHAN BAUER

* N.Y., N.J., FL., D.C. BARS

LONG ISLAND OFFICE:

595 STEWART AVENUE
GARDEN CITY, NY 11530
TEL: (516) 239-8818



March 14, 2008

The Hon. Lewis A. Kaplan
United States District Judge
United States Courthouse
500 Pearl Street, Room 1310
New York, NY 10007

Re: Young v. OMRDD et al. 07cv06241-LAK

Dear Judge Kaplan:

We represent the plaintiffs herein. We write to request an extension of thirty days for the production of plaintiffs' expert witness report and disclosure. The defendants object to this application. There has been one prior amendment to the case management order.

We also write to advise the Court that the plaintiffs have filed a Motion to Compel Production and Interrogatory Answers, a courtesy copy of which is enclosed.

Expert witness production is due on March 31, 2008 under the current Case Management Order. We are requesting an extension of thirty days because the depositions of the defendants will not be completed until April 11, 2008, the case involves thousands of pages of documents, including over eight hundred pages received two weeks ago. The volume of documents in this case and the need for our expert to be able to consider the testimony of the defendants mandates this application for a modest extension of time.

This case concerns the course of care and treatment provided to plaintiff's decedent, Valerie Young, a profoundly mentally retarded person who died while in defendants' custody and care while residing at the Brooklyn Developmental Center. This case raises important issues concerning nature and quality of medical and professional care provided to the profoundly disabled segment of the population at the Brooklyn Developmental Center.

The details of Ms. Young's care encompass (as of this writing) over ten thousand pages of documents, including material produced pursuant to subpoena from the non-party investigation

March 14, 2008
The Hon. Lewis A. Kaplan, USDJ
Estate of Young v. OMRDD, 07-cv-0261-LAK
Page 2 of 2

of Ms. Young's death. At least one-half of the documents include difficult to read handwritten notes. Numerous documents will have to be deciphered by the witnesses at deposition.

Document production by the defendants (including the investigation) was not completed until about February 28, 2008, (other than those materials not produced or identified properly that are the subject of the pending motion to compel). Five of the six defendants' depositions have been scheduled, the dates having been selected cooperatively by the parties to accommodate the defendants' schedules as well as that of counsel. One of the defendant's depositions has not been scheduled because we have not been provided dates of availability. Thus, a thirty-day extension of the deadline for plaintiffs' expert disclosure is modest under the circumstances.

Therefore, plaintiffs respectfully request that the date for production of their expert(s) witness disclosure be extended by thirty days to April 30, 2008. We are not requesting that the date for submission of the pretrial order be extended; only the date for expert witness disclosure.

Respectfully submitted,

Catafago Law Firm, PC
& Jonathan Bauer, Esq.
Attorneys for Plaintiff



By: Jonathan Bauer

c: Jose L. Velez, Esq.
Assistant Attorney General

*Original dates
on schedule
extended by 28 days
3/19/08*

LEWIS A. KAPLAN, USDJ